

**Office of Special Education
Michigan Department of Education (MDE)**

**Procedures for Calculating
Significant Disproportionality—Educational Environments
October 2012 Revision**

Regulation §300.646 of the *Individuals with Disabilities Education Act* (IDEA) requires that each state that receives assistance under Part B of the IDEA must provide for the collection and examination of data to determine if disproportionality based on race and ethnicity is occurring in the state and the local education agencies of the state with respect to: placement of children with disabilities in particular educational settings.

1. Calculations use data from the fall 2011 and fall 2012 Michigan Student Data System (MSDS)¹ general collections including the Special Education Count files. Only students with an Individualized Education Plan (IEPs), ages 6 through 21, per the *Individuals with Disabilities Education Act* (IDEA) Part B definition, are counted.² (The residency codes of students are drawn from the data in MSDS, and the education environment is based on the information submitted in the MSDS special education child count.) Resident district data refers to the students that live within a district's boundaries with the following exceptions: students attending public school academies, schools of choice, non-public schools, registered home-schools and entities serving adjudicated students are only reflected in their operating district.
2. Calculations are performed for all districts with 30 or more students with IEPs.
3. Calculations are performed for each given racial/ethnic subgroup (American Indian, Asian, Black, Hispanic, Native Hawaiian or Other Pacific Islander, White, or Two or More Races) within a district if the total enrollment in the resident district (including special education) for all other racial/ethnic subgroups (total enrollment comparison group) is more than 100.

¹ Michigan Student Data System (MSDS) is the statewide data system for all schools/students.

² Students who have been placed in facilities for adjudicated youth (as indicated by the student residency code in MSDS) are excluded. Also excluded are students enrolled in the Operating District Number 84020.

4. Calculations are performed for each racial/ethnic subgroup (American Indian, Asian, Black, Hispanic, Native Hawaiian or Other Pacific Islander, White, or Two or More Races) with 10 or more students in a given setting (separate facilities, in the general education classroom between 40% and 79% of the school day, and in the general classroom setting less than 40% of the school day). The educational environments “public or private special education school building at public expense” and “public or private residential facility at public expense” are considered “separate facilities.”
5. A Weighted Risk Ratio (WRR) is used for a particular racial/ethnic subgroup when the district’s student population is similar to the state racial/ethnic distribution and there are at least 10 students in a given setting in all other racial/ethnic subgroups (disability setting comparison group). See the following URL page 16 to 18 for additional resource information:
<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>
6. A Risk Ratio (RR) is used instead of the WRR when the racial/ethnic distribution of the district’s student population varies significantly from the state racial distribution. The RR compares identification rates by race/ethnicity against the district’s total student population. Specifically:
 - a. If the number of white or black students in a particular setting in a given district is equal to zero, the MDE will forego use of the WRR/ARR in favor of the RR in that district.
 - b. When the number of white or black students in a particular setting in a given district is fewer than three, if the WRR value is greater than or equal to 2.5 and the RR value is less than or equal to 1.5 (so that the difference between the two measures is greater than or equal to one), MDE will forego use of the WRR in favor of the RR in that district. See the following URL page 8 to 12 for additional resource information:
<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>
7. An Alternate Risk Ratio (ARR) is used for a particular racial/ethnic subgroup when there are fewer than 10 students in a given setting in all other racial/ethnic subgroups (settings comparison group). Note: It is not appropriate to forego use of the ARR in favor of the RR unless there are zero black or white students in a given settings category. See the following URL page 21 to 22 for additional resource information:

<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

8. Two sets of the three ratios (WRR, ARR and/or RR) are calculated, using the operating district and resident district data, for each racial/ethnic group in a given setting (separate facilities, in the general education classroom between 40% and 79% of the school day, and in the general classroom setting less than 40% of the school day). Operating district data refers to where the students attend school. All students are included in operating district counts including non-public students being served by the public district.
 - If there is an operating district ratio but no resident district ratio (due to a small number of resident students), the operating district ratio is used to determine significant disproportionality.
 - If there is no operating district ratio, but there is a resident district ratio, the district is not considered for significant disproportionality.
 - Public School Academies (PSAs) have only one set of ratios as they are only operating districts.
 - Students participating in intermediate school district center programs are reflected in resident district counts.
9. The lower of the district's operating district ratio or resident district ratio is used to determine significant disproportionality. Districts are considered to have significant disproportionality when the appropriate ratio (WRR, ARR or RR) is greater than 3.0 for two consecutive years for any racial/ethnic group within a setting category.
10. The OSE requires that districts identified as having significant disproportionality must:
 - a. Review/Revise Policies, Procedures and Practices: The OSE will assist the district's review of all policies, procedures and practices;
 - b. Publicly Report Revisions of Policies, Procedures and Practices: The district must report to the public on the revision of the policies, procedures and practices; and
 - c. Allocate 15% of IDEA Special Education (Part B, Section 611& 619) Grants: For those districts receiving IDEA funds, 15% of their grant for the identified school year, must be reallocated for early intervening services. These services must be designed to serve children who have not been identified as children with an IEP, particularly but not exclusively, children in the groups that were significantly over-identified. These early intervening services may support activities for

students in kindergarten through grade 12 with a particular emphasis on kindergarten through grade 3.

**Resident District Definition for Analyzing
Disproportionate Representation and Significant Disproportionality Data**

The purpose of the revised resident district definition is to include only those students that districts have an opportunity to influence/educate. The “resident” definition excludes students enrolled in schools of choice, non-public, registered home-schools, and entities serving adjudicated students. Resident district is calculated in the following way.

1. Begin with the Michigan Student Database System (MSDS) Fall Collection resident count.
2. Subtract students with the following Student Residency codes:
 - i. Schools of Choice (Codes 02 and 03)
 - ii. Non-Public School (Codes 04 and 08)
 - iii. Registered Home-Schools (Codes 07 and 15)
 - iv. Juvenile Detention (Codes 09 and 12)
 - v. New Public School Academies (PSAs) (Code 10)
3. Filter out all PSAs as identified by the Educational Entity Master (EEM):
<http://136.181.145.66/eem/>
4. The MSDS resident student count WILL include the following Student Residency codes:
 - Non-K-12 (Code 01)
 - No Cooperative Agreement, no release, not exempted (Code 05)
 - All other non-resident students (Code 06)—(Please note: Operating districts do the MSDS submission—hence these are non-residents of the OPERATING district.) This will include those students who are residents but through an IEP have been placed in another district.
 - School for the Deaf (Code 11) assigned to the students’ resident ISDs.
 - Students with an IEP who are served by a Department of Community Health facility (Code 13)
 - All other resident students (Code 14)

The same parameters set for determining resident district count for the special education population must be applied to the general education population for comparison.

The calculation for operating districts includes:

- PSA, Schools of Choice students, non-public school and registered home-school students who receive special education ancillary services.